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S/1997/337
28 April 1997
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 27 APRIL 199[illegible]OM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF ZAIRE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you an extremely urgent message sent to you by Mr. Kamanda wa Kamanda, Deputy Prime Minister and Minister for Foreign Affairs and International Cooperation, on behalf of the Government of the Republic of Zaire.

I should be grateful if you would have the text of this letter and of its annex issued as a document of the Security Council.

(Signed) Khabouji N'zaji LUKABU
Chargé d'affaires a.i.
Minister Plenipotentiary
Deputy Permanent Representative

97-11288 (E) 280497 280497

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Annex

Message from the Deputy Prime Minister and Minister for Foreign Affairs and International Cooperation of Zaire addressed to the President of the Security Council

According to reliable, verifiable and consistent information in the possession of the Republic of Zaire, 1,500 troops belonging to the Angolan Armed Forces, heavily armed, have left Cabinda on the orders of the Angolan Government and grouped in the border location of Yema with the clear intention of penetrating our territory across the border of Bas-Zaire.

We draw the attention of the Security Council to the seriousness of the direct involvement of the Angolan Armed Forces in the conflict under way in Zaire in support of rebels of the Alliance of Democratic Forces for the Liberation of Congo/Zaire in the southern and western parts of Zaire.

The Government of the Republic Zaire once again draws the serious attention of the Security Council to the external dimension of the aggression to which our country is being subjected, and requests, over and above the repeated declarations by the Security Council, that urgent measures should be taken to ensure the implementation, in chronological order, of the five-point peace plan contained in Council resolution 1097 (1997) of 18 February 1997.

While welcoming the decision taken by the Commission on Human Rights at its fifty-third session, held in Geneva, on the sending of an international commission of inquiry to eastern Zaire, as well as the contents of the firm statement by the President of the Security Council (S/PRST/1997/22) of 24 April 1997 on the serious violations of human rights and the atrocities committed by the Alliance of Democratic Forces for the Liberation of Congo/Zaire with the support and participation of those who are behind the unprovoked aggression being committed against Zaire, the Government of the Republic of Zaire recalls that it has many times in the past two years drawn the attention of the international community in general and of the Security Council in particular to the massive and repeated violations of international humanitarian law in Rwanda, Burundi and eastern Zaire.

This commission is being sent too late, because the international community did not respond promptly to the cries of alarm raised by various sources; we nevertheless believe that a few further violations can yet be prevented and a few human lives saved.

This is why we think that if energetic measures are not taken immediately to put an end to them, the United Nations will incur a heavy responsibility before history for the unprecedented crimes against mankind that are being committed against Zaire every day, amidst indifference, a case in point being the recent fate of the Rwandan refugees south of Kisangani, of whom we are now trying to find 80,000, whereas there were more than 600,000 of them!

From the standpoint of the Charter of the United Nations, and especially of its preamble, the atrocities being committed in the Zairean territory controlled

by the attackers of the Republic of Zaire, three years before the end of this twentieth century, with the blessing of certain States Members of the United Nations bring shame on all of mankind!

(Signed) Gérard KAMANDA wa KAMANDA
Deputy Prime Minister
Minister for Foreign Affairs
and International Cooperation

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LETTER DATED 25 APRIL 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 25 April 1997 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

97-11296 (E) 280497 280497

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Annex

Letter dated 25 April 1997 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

Sir,

I should like to draw your attention to the continuing situation with regard to implementation of the Memorandum of Understanding. The Memorandum has not been implemented within the agreed period, and the Security Council has failed to implement resolution 986 (1995), which supposedly had a humanitarian goal. This, in addition to the delay in implementation, gives rise to serious and legitimate doubts as to whether that resolution did indeed have humanitarian goals, or whether it served a selfish and restricted policy.

The chief responsibility for this serious and deliberate delay in implementation lies with the Government of the United States of America. The increasing number of the fabricated and unjustified blocks and holds it puts on and the objections it makes to many of the contracts submitted to the Security Council Committee established by resolution 661 (1990), particularly in recent times, have demonstrated that the United States administration is using that Committee as a tool to implement its irresponsible policy directed against Iraq, by, whenever it wishes, preventing the Committee from approving contracts for food and medical supplies. This happened recently, when contracts for medical supplies became the target of United States policy. On 21 April 1997, for example, the Secretariat of the Security Council Committee established by resolution 661 (1990) informed the Permanent Mission of the Republic of Iraq to the United Nations in New York that the United States of America had put a hold on 21 of the contracts for the supply of medical equipment on the priority list submitted by the World Health Organization.

On 22 and 23 April 1997 the Secretariat of the Committee informed our Permanent Mission in New York that the United States of America had put a hold on a further 19 contracts from the priority list referred to above. In only three days, therefore, a hold has been put on a total of 40 contracts for medical supplies urgently required for humanitarian purposes. These were:

- Two contracts for the import of medical necessities from Italy;
- Two contracts for the import of life-saving equipment from France;
- Twenty-four contracts for the import of life-saving equipment from Jordan;
- Twelve contracts for the import of surgical and medical necessities from the United Kingdom.

Furthermore, the United States of America has rejected seven contracts for the purchase of foodstuffs, namely, one contract for rice from Viet Nam, and six contracts for the supply of sugar, cooking oil, cleaning materials and soap from Jordan.

As you will recall, during our meeting in New York on 6 March 1997 I outlined to you the serious delays being experienced in the processing of the contracts for the purchase of foodstuff and medical supplies, despite it being more than four and a half months since the entry into force of the Memorandum of Understanding. Up to 22 April 1997, the Security Council Committee established by resolution 661 (1990) had approved only 118 contracts out of a total of 482 contracts submitted to the Secretariat of the Committee. In my meeting with yourself, the President and members of the Security Council, and the Chairman of the Security Council Committee established by resolution 661 (1990), I put forward a number of constructive suggestions with a view to improving the work and procedures of the experts and the Committee. However, none of those practical suggestions has yet been acted upon. Despite the fact that prior to the meeting of the Security Council Committee established by resolution 661 (1990) held on 11 April 1997 it had been mentioned that the United States of America had lifted the hold it had put on items on the priority list, that has not so far resulted in any acceleration of the contract approval measures. On the contrary, recently the United States of America has increased the number of the holds and blocks it has put on contracts, including those on the priority list itself.

In putting forward these observations it is our intention to bring to your attention the status quo of implementation of resolution 986 (1995) and the Memorandum of Understanding, and to request you to assume your responsibilities with regard to the implementation of both those instruments, and take positive steps to prevail upon the United States of America to desist from hindering the processing of contracts for foodstuffs and medical supplies and from using this matter as a political tool. We also request you to take practical and effective steps to accelerate work to successfully implement the agreement between the United Nations and Iraq. We await the measures that you may take in this regard.

I should be grateful if you would have this letter circulated as a document of the Security Council.

Accept, Sir, the assurances of my highest consideration.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

Baghdad, 25 April 1997

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LETTER DATED 28 APRIL 1997 FROM THE PERMANENT REPRESENTATIVE OF GEORGIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of a letter dated 23 April 1997 from the President of Georgia, Mr. Eduard Shevardnadze, regarding the situation in Abkhazia, Georgia.

May I ask your kind assistance in having the present letter and its annex circulated as a document of the Security Council.

(Signed) Peter CHKHEIDZE
Ambassador
Permanent Representative

97-11275 (E) 280497

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Annex

Letter dated 23 April 1997 from the President of Georgia addressed to the President of the Security Council

I want to express to you my deepest personal regards and to welcome you as President of the Security Council. I would also like to greet the new Security Council members and wish them success in their work, which carries such enormous responsibility.

On behalf of the Government of Georgia, I thank the United Nations and the Security Council, whose resolutions have helped develop the legal framework for the settlement of the conflict in Abkhazia. In this regard, of particular importance are also the final documents of the Budapest and Lisbon summits of the Organization on Security and Cooperation in Europe (OSCE), wherein the past and continuing ethnic cleansing conducted by the separatist leaders and the mass destruction of the civilian population - predominantly Georgians - are clearly renounced. These documents were largely based on the conclusions of the State Commission for the Investigation of the Policy of Ethnic Cleansing/Genocide carried out against the Georgian Population in Abkhazia, Georgia.

This Commission recently completed its work. Their evidence points to the separatist policy of forcibly altering the demographics of Abkhazia and to the grave atrocities committed in the process. The Commission's findings were disseminated in documents of the United Nations, as well as of the Commission on Human Rights. All this suggests that we could consider punitive measures against these perpetrators of crimes against humanity, especially since the issue of creating an international criminal court is now on the United Nations agenda. It would be desirable for the United Nations to contemplate sending experts to Georgia, who would, both independently and jointly with the Commission, make a full examination of the facts of grave crimes, including ethnic cleansing, since the Abkhaz territory is inaccessible to us today.

I would like to draw the attention of the honoured members of the Security Council to the fact that according to the latest decisions of the Heads of the Commonwealth of Independent States, the peacekeeping forces are to move deeper into the conflict zone and create security guarantees for repatriated refugees and internally displaced persons. There are, however, signs that the successful implementation of this operation is threatened, primarily because the separatist leadership opposes their return, as is the phased restoration of the natural regional demographics which would be an inevitable consequence of an expanded peacekeeping mandate.

The separatist leadership continues to engender chaos in the region, while blaming the Georgian side for violating agreements. They terrorize the returnees and plant landmines in the Gali and Ochamchira regions. This hinders the peacekeepers and the United Nations Observer Mission in Georgia from carrying out their mandates. It is becoming obvious that under such circumstances the implementation of the organized and dignified return of the refugees and internally displaced persons in accordance with the timetable worked out by the quadripartite agreement on voluntary return of refugees and

displaced persons of 4 April 1994 and the United Nations High Commissioner for Refugees - which is a main component of the conflict settlement - is not feasible.

Regrettably, United Nations appeals to the separatist regime and its approval of Georgia's proposals regarding conflict resolution have been thus far unsuccessful. It is clear that without drastic measures, the situation is approaching a critical point, and that with further exacerbation, it could become irreversible. It is impossible to rely indefinitely on methods of persuasion. It is time to consider the combination of persuasion and coercion. In our opinion, it is imperative that the United Nations role in the solution of the conflict be invigorated, and we must plan for its comprehensive resolution based on the principles of the United Nations and OSCE.

In order to achieve a political settlement of the conflict, Georgia remains ready to take any step recommended by the Security Council. We are confident that the Abkhaz, the Georgians and representatives of all ethnicities living in the region will be able to coexist peacefully in the future. This will be ensured by the pertinent decisions of the United Nations and the Security Council.

(Signed) Eduard SHEVARDNADZE